

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Frank Montgoris	Team: Squad #16	CCRB Case #: 201805697	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 07/14/2018 6:45 AM	Location of Incident: [REDACTED]	Precinct: 70	18 Mo. SOL 1/14/2020	EO SOL 1/14/2020	
Date/Time CV Reported Sat, 07/14/2018 8:19 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Sat, 07/14/2018 8:19 AM		
Complainant/Victim	Type	Home Address			
[REDACTED]	[REDACTED]	[REDACTED]			
Witness(es)	Home Address				
[REDACTED]	[REDACTED]				
Subject Officer(s)	Shield	TaxID	Command		
1. POM Desean Mullings	19483	959833	070 PCT		
2. POF Marika Williams	04520	961581	070 PCT		
Officer(s)	Allegation			Investigator Recommendation	
A.POM Desean Mullings	Abuse: Police Officer Desean Mullings damaged § 87(2)(b) [REDACTED] s property.			[REDACTED]	
B.POF Marika Williams	Abuse: Police Officer Marika Williams damaged § 87(2)(b) [REDACTED] s property.			[REDACTED]	

Case Summary

§ 87(2)(b) filed this complaint with the CCRB via the online website on July 14, 2018.

On July 14, 2018, at approximately 6:45 a.m., PO Desean Mullings and PO Marika Williams, from the 70th Precinct, arrived at § 87(2)(b)'s apartment, located at § 87(2)(b) in Brooklyn, in response to a call for an assault. PO Mullings and PO Williams allegedly damaged the front door to § 87(2)(b)'s apartment (**Allegations A and B: Abuse of Authority**, § 87(2)(g)). No arrests or summonses resulted from this incident.

Searches for video footage for this case, both from § 87(2)(b) and from the body-worn camera deployment list, yielded negative results. Therefore, no relevant video footage could be located for this case.

Allegation A – Abuse of Authority: Police Officer Desean Mullings damaged § 87(2)(b)'s property.

Allegation B – Abuse of Authority: Police Officer Marika Williams damaged § 87(2)(b)'s property.

It is undisputed that PO Mullings and PO Williams were the only officers present at § 87(2)(b)'s apartment at the time of the incident, and that no other civilians were present aside from § 87(2)(b) and § 87(2)(b).

§ 87(2)(b) alleged that she and her husband, § 87(2)(b) were sleeping when she heard the officers ring the doorbell and begin knocking on the door. § 87(2)(b) asked the officers who they were, and PO Williams informed § 87(2)(b) that the officers were there for a noise complaint. PO Williams told § 87(2)(b) to open the door, but § 87(2)(b) initially refused out of uncertainty that the officers were not actually police officers. An officer, whom § 87(2)(b) could not identify because she could not see at the time, began “violently” banging on the door with what sounded to § 87(2)(b) to be a metal object, noting that the apartment door was metal and it sounded as if metal was hitting metal. After calling 911 and being reassured that the officers were actual police officers, § 87(2)(b) and § 87(2)(b) opened the door. PO Williams asked § 87(2)(b) and § 87(2)(b) if someone named “§ 87(2)(b)” lived at the apartment, but both § 87(2)(b) and § 87(2)(b) denied it. The officers then left the location. After the incident, § 87(2)(b) observed several circular indentations in the area of the peephole and the doorknob, and chipped paint that had fallen off the door in patches (Board Review 01).

§ 87(2)(b) alleged that when he and § 87(2)(b) told the officers that they were not going to open the door until they were able to verify their identities, an officer, whom he could not specify because he could not see, began banging on the door with what § 87(2)(b) believed to be a flashlight. § 87(2)(b) noted that he believed a flashlight was used to hit against the door because the sound that was made was consistent with something metallic. Upon opening the door, the officers informed § 87(2)(b) and § 87(2)(b) that they were looking for someone with the name, “§ 87(2)(b)”. § 87(2)(b) presented his identification to verify his own identity, and the officers left the apartment shortly after. After the incident, § 87(2)(b) observed multiple small dents and chipped paint on the door (Board Review 02).

Two photos of the front door of apartment “§ 87(2)(b)” were obtained from the investigation. One of the photos shows chipped paint on the door near the peephole, while the other photo showed a small dent to the left of the doorknob. According to the CTS Properties tab, both photos

were taken on July 14, 2018 at 7:59 a.m., approximately an hour and a half after the incident (Board Reviews 08 and 09).

PO Mullings testified that he and PO Williams began knocking on apartment doors on the § 87(2)(b)-floor of § 87(2)(b) because the victim of the assault call told the officers that the perpetrator fled to the location and lived on the § 87(2)(b) floor. Upon approaching apartment “§ 87(2)(b) PO Mullings observed the door to have chipped paint and dents on it, appearing to have been there for a long period of time. Both PO Mullings and PO Williams knocked on the door with their hands for approximately two to three minutes before § 87(2)(b) came to the door. PO Mullings denied that either officer knocked on the door with any object other than their hands, and denied that either officer caused damage to the door (Board Review 03).

PO Williams testified that both she and PO Mullings knocked on the front door with only their fists in a manner that their knuckles tapped the door. PO Williams denied that either she or PO Mullings knocked on the door with any object other than their hands, and denied that either officer damaged the door. PO Williams did not remember seeing any damage to the door upon arriving there (Board Review 04).

§ 87(2)(b), § 87(2)(g)

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (Board Review 05).
- As of August 29, 2018, the New York City Office of the Comptroller has no record of a Notice of Claim being filed regarding this complaint (Board Review 06).

Civilian and Subject Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 07).
- PO Mullings has been a member-of-service for two years and has been a subject in one CCRB complaint and three allegations, none of which were substantiated. § 87(2)(g)
- PO Williams has been a member-of-service for two years and has been a subject in one CCRB complaint and one allegation, which has not been substantiated. § 87(2)(g)

Squad No.: 16

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date